

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. CR08-317-JCC
Plaintiff,)
v.) SUMMARY REPORT OF U.S.
ARICA MARIE EPPS,) MAGISTRATE JUDGE AS TO
Defendant.) ALLEGED VIOLATIONS
) OF SUPERVISED RELEASE

An initial hearing on supervised release revocation in this case was scheduled before me on April 15, 2009. The United States was represented by AUSA Annette Hayes and the defendant by Dennis Carroll. The proceedings were digitally recorded.

Defendant had been sentenced in the Eastern District of Washington on or about October 22, 2003 by the Honorable Edward F. Shea on two counts of Use of an Unauthorized Access Device, and one count of Misuse of a Social Security Number, and sentenced to time served in custody, two years supervised release. (Dkt. 3 at 15-22.)

The conditions of supervised release included the standard conditions plus the requirements that defendant participate in home confinement for up to 120 days, provide access

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01 to financial information, disclose all assets and liabilities, be prohibited from transferring assets
02 without permission, be prohibited from opening new lines of credit or incurring new obligations,
03 submit to search, undergo substance abuse evaluation, abstain from the use of illegal substances,
04 undergo mental health evaluation and participate in treatment, and pay restitution in the amount
05 of \$17,402.96.

06 On May 2, 2007, defendant admitted violation of the conditions of supervised release by
07 using a controlled substance, failing to abide by the rules of the Residential Re-entry Center
08 (RRC), absconding from the RRC, and committing a crime. She was sentenced to nine months
09 custody. (Dkt. 3 as 11-12.)

10 In an application dated March 20, 2009 (Dkt. 7), U.S. Probation Officer Jonathan M. Ishii
11 alleged the following violations of the conditions of supervised release:

12 1. Consuming methamphetamine on or about August 5, and September 8, 2008, in
13 violation of special condition 19.

14 2. Failing to appear for drug testing on November 13, 19, 25, December 1, 2008; and
15 January 20, 21, February 2, March 4, 2009, in violation of special condition 19.

16 3. Failing to submit a truthful and complete written report within the first five days
17 of each month, for the months of August 2008 through February 2009, in violation of standard
18 condition 2.

19 Defendant was advised in full as to those charges and as to her constitutional rights.

20 Defendant admitted alleged violations 1 and 2 and waived any evidentiary hearing as to
21 whether they occurred. The government moved to dismiss violation 3. (Dkt. 10.)

22 I therefore recommend the Court find defendant violated her supervised release as

01 alleged, that the Court dismiss violation 3, and that the Court conduct a hearing limited to the
02 issue of disposition. The next hearing will be set before Judge Coughenour.

03 Pending a final determination by the Court, defendant has been released on the conditions
04 of supervision.

05 DATED this 15th day of April, 2009.

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Mary Alice Theiler
United States Magistrate Judge

cc: District Judge: Honorable John C. Coughenour
AUSA: Annette Hayes
Defendant's attorney: Dennis Carroll
Probation officer: Jonathan Ishii